

## **Working Together Agreement as the Shale Environmental Regulator Group**

This is a Working Together Agreement (WTA) between the Environment Agency (EA), Health and Safety Executive (HSE) and the Oil and Gas Authority (OGA). It:

- describes how we work as a team to regulate the environmental aspects of shale gas exploration and production;
- sets out our offer of assistance to Mineral Planning Authorities; and
- helps to inform the public on how we regulate the industry.

### **Introduction**

Each regulator has a specific role in regulating shale gas exploration and production.

In summary:

- The EA requires that shale gas operators have the correct environmental protections in place.
- The HSE requires that the operator manages well integrity so that there is no unplanned release of fluids and health and safety risks are kept as low as reasonably practicable.
- The OGA, for these purposes, requires that the operator has procedures in place to control and monitor the fracturing process, and assess the risks from induced seismicity.

While we will work closely together, each regulator continues to retain its own independent regulatory functions, duties and enforcement powers as set out in law.

### **How the Shale Environmental Regulator Group works**

We will enhance our customer service to operators of shale gas developments by:

- introducing a Shale Environmental Regulator Group (SERG) coordinator for each shale gas operator. This person will work across EA, HSE and the OGA to co-ordinate regulation of shale gas sites, liaise with the operator to help them understand and plan for the regulatory process and facilitate progress and resolution of issues;
- training coordinators to ensure that they understand the complete cycle of relevant regulatory processes in the EA, HSE and the OGA;
- undertaking joint inspections of shale gas sites, where appropriate;
- co-ordinating regulation with other regulators outside of SERG, where relevant; and
- co-ordinating communications in response to events of non-compliance and enforcement as appropriate including prior agreement about who speaks on each issue.

We will work together to assist Mineral Planning Authorities by:

- sharing appropriate knowledge and information with Mineral Planning Authorities who are considering shale gas applications and continue to support them once applications are decided upon;
- providing training for councillors and others on the regulatory process;

- ensuring that the SERG coordinator and the Shale Planning Brokerage Service interact effectively; and
- joining up on other issues in line with our respective responsibilities.

We will work as a team to improve public understanding of the regulatory regime and the safeguards in place to protect people and the environment by:

- working with the Shale Commissioner to get feedback on public concerns and regulator performance and join up communications where appropriate
- organising joint engagement events to meet local communities near shale gas developments;
- sign-posting our information to local communities; and
- issuing single communications where feasible such as fact sheets and responses to inquiries.

The SERG will:

- share data where it is appropriate and possible to do so;
- consider future areas of research together; and
- monitor the benefits of SERG for industry, regulators and the public.

This list is neither restrictive nor exhaustive and will be reviewed regularly.

### **Principles which underpin how we will work together**

The Shale Environmental Regulatory Steering Group is an advisory forum that ensures that the interfaces between the environmental aspects of shale gas regulation work effectively and develop in line with agreed policy. It will also advise on funding arrangements for activities included under this agreement. This group is attended by directors and managers from EA, HSE and the OGA and relevant government departments. This group will monitor the progress of regulators in working together, and promote continued robust regulation of the shale gas industry.

The existing agreements between regulators<sup>1</sup> will continue and EA, HSE and the OGA will maintain discretion to manage their contributions to the SERG, for example in the event of any need to redeploy staff and resource to respond to incidents.

This WTA is a statement of intent and nothing in it creates any legally binding or enforceable obligations on the EA, HSE or the OGA.

This WTA will be reviewed every 12 months from the date it has been signed off by all parties.

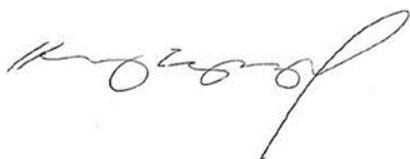
Signatures



Toby Willison,                      Date: 19 September 2018  
Executive Director of Operations, Environment Agency



Chris Flint,                      Date: 19 September 2018  
Director of Energy Division, Health and Safety Executive



Hedvig Ljungerud,              Date: 19 September 2018  
Director of Strategy, Oil and Gas Authority

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<sup>i</sup> The EA and HSE have an overarching [Memorandum of Understanding](#) in place that sets out the day to day arrangements for managing the broad range of operations that fall under their regulatory control. This is supported by a [Working Together Agreement](#) specifically on the regulation of unconventional oil and gas developments. The HSE and OGA also have a [Memorandum of Understanding](#) which covers effective communication and co-operation arrangements.